1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 CENTRAL DISTRICT OF CALIFORNIA 10 RAUL ROBLES, Case No. CV09-7121 DMG (PLAx) 11 12 Plaintiff, **ORDER TO SHOW CAUSE** 13 v. 14 15 CARVER FINANCIAL, INC., et al., 16 Defendants. 17 18 19 This matter is before the Court on Defendant Aurora Loan Services LLC's Motion to Dismiss Plaintiff's Second Amended Complaint [Doc. # 37], currently set for hearing 20 21 on November 22, 2010. 22 Defendant filed the Motion on October 6, 2010. Pursuant to Local Rule 7-9, 23 Plaintiff had until November 1, 2010 to file an Opposition. As of the date of this order, 24 Plaintiff has not filed any opposition to the Motion. Local Rule 7-12 provides that "[t]he failure to file any required paper, or the failure to file it within the deadline, may be 25 26 deemed consent to the granting or denial of the motion." 27 Plaintiff amended his operative complaint once as a matter of course [Doc. # 14]

and the Court also granted Plaintiff leave to amend his operative complaint once before

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[Doc. # 34]. Plaintiff is now at his Second Amended Complaint. Accordingly, Plaintiff is hereby ordered to show cause in writing why Defendant's Motion should not be granted without further leave to amend. Plaintiff shall file his response to this Order to Show Cause ("OSC") by November 24, 2010. Failure to file a timely response will result in the dismissal of the action with prejudice. The November 22, 2010 hearing on Defendant's Motion is vacated pending the

Court's ruling on the OSC and shall be re-set by the Court if needed.

IT IS SO ORDERED.

November 10, 2010 DATED:

UNITED STATES DISTRICT JUDGE

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